

LEGACY CA WAC REFERENCES FOR USE WITH PLANNED ACTION NOTICES & IP TERMINATION LETTERS

I. CLIENT-RELATED WAC REFERENCES

A. Hours decreased to correspond to assessed current unmet needs

All programs:

[388-71-0203](#) "LTC services—Assessment of task self-performance and determination of required assistance."

and [388-71-0460](#) "Are there limitations to HCP services I can receive?"

B. Hours decreased due to multi-client household and/or provider and client living in same household

All programs:

[388-71-0460 \(3\)](#) "Are there limitations to HCP services I can receive?"

["The department will not pay for shopping, housework, laundry, meal preparation, or wood supply when . . . (client) and . . . IP live in the same household."]

and [388-71-0460 \(4\)](#) "Are there limitations to HCP services I can receive?"

["The department will adjust payments to an IP . . . who is doing household tasks for more than one client living in the same household"]

C. Insufficient direct personal care needs for program

COPES: [388-71-0435 \(4 a-d\)](#) "Am I eligible for COPES-funded services?"

MPC: [388-71-0440](#) "Am I eligible for MPC-funded services?"

(Also, [HCS MB 03-45](#) and [03-65](#): "New MPC eligibility, effective 9/1/03")

Chore: [388-71-0445](#) "Am I eligible for Chore-funded services?"

All programs:

[388-71-0202](#) "LTC services definitions"

and [388-71-0203 \(3\)](#) "LTC services—Assessment of task self-performance and determination of required assistance."

D. No COPES services for 30 consecutive days

COPES Only: [388-513-1320\(3\)\(b\)](#) "A client loses institutional status when..."
(*This does not apply to MPC or Chore clients.*)

E. No longer financially eligible

COPES: [388-515-1505](#) "Community options program entry system (COPES)."
and [388-71-0435](#) "Am I eligible for COPES-funded services?"

MPC: [388-500-0005](#) "Categorically Needy under Title IX..."
and [388-71-0440](#) "Am I eligible for MPC-funded services?"

Chore: [388-71-0445 \(4-6\)](#) "Am I eligible for Chore-funded services?"

F. Refuses a reassessment to determine continued eligibility

All programs:
[388-71-0450](#) "How do I remain eligible for services?"

G. Needs met by other resources (e.g., family or friend)

All programs:
[388-71-0203 \(2\) \(e\) \(iv\)](#) "LTC services—Assessment of task self-performance and determination of required assistance."
["...Availability of alternative resources providing needed assistance, including family, neighbors, friends, community programs, and volunteers."]

and [388-71-0460 \(1\)](#) "Are there limitations to HCP services I can receive?"
["HCP services may not replace other available resources, both paid and unpaid."]

{also see [MB 02-08](#) "Unmet need describes the assistance a client needs *after* alternative resources have been taken into account." }

II. IP-RELATED WAC & RCW REFERENCES

A. Abuse, neglect, abandonment or exploitation

[388-71-0540 \(4\)](#) "When will the department or AAA deny payment for services of an individual provider or home care agency provider?"

[388-71-0551 \(1\)](#) "When can the department or AAA terminate or summarily suspend an individual provider's contract?"

B. Disqualifying criminal conviction(s)

[388-71-0540 \(3\)](#) "Has been convicted of a disqualifying crime...or a crime related to drugs."

and [RCW 43.20A.710 \(5\)](#) "...the secretary shall deny payment for any subsequent services rendered by the disqualified individual provider.

C. Disqualifying drug-related conviction(s)

[388-71-0540 \(3\)](#) "When will the department or AAA deny payment for services of an individual provider or home care agency provider?"

and [RCW 43.43.835](#) "Background checks -- Drug-related conviction information."

and [RCW 43.43.830 \(1a\) & \(6\)](#) "Background checks: Access to children or vulnerable persons – Definitions" and "Crimes relating to drugs."

D. Inability to meet client's needs

[388-71-0546](#) "When can the department or AAA reject the client's choice of an individual provider?"

E. Inadequate quality of care

[388-71-0551](#) "When can the department or AAA terminate or summarily suspend an individual provider's contract?"

["...if the provider's inadequate performance or inability to deliver quality care is jeopardizing the client's health, safety, or well-being."]

F. Terminated by the client

[388-71-0540 \(8\)](#) "When will the department or AAA deny payment for services of an individual provider or home care agency provider?"

G. Training not completed

[388-71-0540 \(6\)](#) "Does not successfully complete the training requirements within the time limits required..."

and [388-71-0520](#) "Are there educational requirements for an individual provider or a home care agency provider of an adult client?"

H. Summary (immediate) suspension due to imminent jeopardy

[388-71-0551](#) "When can the department or AAA terminate or summarily suspend an individual provider's contract?"

I. Not meeting terms of IP contract

[388-71-0556](#) "When can the department or AAA otherwise terminate an individual provider's contract?"

J. Not meeting basic IP responsibilities

[388-71-0515](#) "What are the responsibilities of an individual provider or home care agency provider when employed to provide care to a client?"

K. Not completing criminal background application

Prior to initial date of hire: [388-71-0510](#) "How does a person become an individual provider?"

or

Prior to hire by another client: [388-71-0546](#) "When can the department or AAA reject the client's choice of an individual provider?"

or

Every two years of employment: Consult with team supervisor prior to sending a Planned Action Notice. (There is no specific WAC reference for this program requirement.)

and [RCW 43.20A.710 \(1b\)](#) "Investigation of conviction records or pending charges of state employees and individual providers"

Note: If none of the above references fit your client's situation, go to
[Adult Social Services WAC 388-71](#)
Then search for the topic heading you're looking for, and click its
corresponding link.